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May 22, 2023

Via ECF

Hon. Katherine Polk Failla
United States District Court
For the Southern District of New York
40 Foley Square
New York, NY 10007

MEMO ENDORSED

Re: David Martinez v. La Maria Pizzeria Corp., et al., No. 1:22-cv-04578

Dear Judge Failla:

This firm represents defendants 1455 Nepperhan Rest Corp. d/b/a Bella Rosa Pizzeria, Albert Tranquillo, and Laurie Tranquillo (the “Bella Rosa Defendants”) in the above-referenced action. We write, with the consent of counsel for Plaintiff, to respectfully request an adjournment of the deadline to submit a settlement agreement for the Court’s approval from May 22, 2023 through and including Friday, June 9, 2023.

As previously reported to the Court, one of our clients is ill, and this illness has impeded communications necessary to finalize the settlement agreement. Additionally, the parties have a disagreement about certain provisions in the settlement agreement that they need additional time to resolve. Accordingly, the parties respectfully request an extension of time to finalize the settlement. This is the fourth request for such an extension, and the Court has previously granted the prior requests, which were on consent.

We thank the Court for its time and attention to this matter.

Respectfully submitted,

/s/ Benjamin M. Rattner

Benjamin M. Rattner

cc: Eliseo Cabrera, Esq.

Application GRANTED. The Clerk of Court is directed to terminate the pending motion at docket number 44.

SO ORDERED.

Dated: May 22, 2023
New York, New York

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE